IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.639 OF 2007

H.I.M.S.Botawala Charities and Ors.. Appellants

V/s

The State of Maharashtra and Ors. .. Respondents

Shri P.K.Dhakephalkar with Amol P. Mhatre for the Appellants

Sujay Ghavade AGP for Respondent

CORAM:S.R.SATHE,J.

DATED:21st Sept.2007

P.C.:-

1. Heard both the learned Advocates.

2. Admittedly the Notice of Motion is still pending. The appellant has filed this appeal as his prayer for ad-interim relief was rejected.

3. Having regard to the facts and circumstances of the case it is desirable to direct the trial Court to dispose of Notice of Motion on merits by the end

of 30th October 2007 and in the meantime direction to the Respondents not to demolish the structure till disposal of Notice of Motion.

4. With the above directions A.O. disposed off.

5. Parties to act on authenticated copy of this order.

(S.R.SATEH,J.)